

**LAKWOOD PLANNING BOARD  
MINUTES  
JANUARY 3, 2006 • 6:00 P. M.**

**I. CERTIFICATION OF COMPLIANCE**

Kevin Kielt called the meeting to order at 6:00 P.M. with the Pledge of Allegiance and read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the Ocean County Observer and the Asbury Park Press and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and a copy of this Agenda has been mailed, faxed or delivered to at least two of the following newspapers: The Asbury Park Press, The Ocean County Observer, or The Tri-Town News at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

**II. REORGANIZATION**

**A. OATH OF OFFICE**

The Class II member was Mr. Franklin, the Mayor’s designee was Mr. Dolobowsky, the Class III member was Mr. Miller and the Class IV member was Mr. Neiman. Mr. Jackson swore in the new members.

**B. ELECTION OF OFFICERS FOR THE CALENDAR YEAR OF 2005**

On motion by Mr. Neiman and seconded by Mr. Dolobowsky, Mr. Banas was nominated as Chairman.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes;  
Mr. Neiman, yes; Mr. Dolobowsky, yes; and Mr. Ganton, yes.

On motion by Mr. Miller and seconded by Mr. Dolobowsky, Mr. Neiman was nominated as Vice-Chairman.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes;  
Mr. Neiman, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes;  
and Mr. Ganton, yes.

On motion by Mr. Neiman and seconded by Mr. Miller, Mr. Kielt was nominated as Secretary.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes;  
Mr. Neiman, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and  
Mr. Ackerman, yes.

At this time an executive session was held.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the board went into executive session.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes; Mr. Neiman, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and Mr. Ackerman, yes.

Mr. Jackson stated the purpose of the executive session was to discuss the proposals for professional services that were received.

The meeting was reconvened.

Mr. Ackerman was sworn in as a member of the Planning Board.

### **C. SELECTION OF CONSULTANTS AND OTHER PERSONNEL**

On motion by Mr. Dolobowsky and seconded by Mr. Herzl, Mr. Jackson and the firm of King, Kitrick & Jackson were nominated as Planning Board Attorney.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and Mr. Ackerman, yes.

On motion by Mr. Ackerman and seconded by Mr. Miller, T & M Associates was nominated as Planner.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and Mr. Ackerman, yes.

On motion by Mr. Dolobowsky and seconded by Mr. Herzl, T & M Associates was nominated as Engineer.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and Mr. Ackerman, yes.

### III. WAIVER REQUESTS

#### 1. SD #1522

Applicant: Uman Holdings LLC

Location: River Avenue, south of Chestnut Street  
Block 534 Lot 18

Preliminary and final major subdivision to construct 22 two family townhouse units

Waiver request from checklist item:

B-2 - topography within 200 feet of site

Mr. Peters recommended granting a partial waiver. The topography should be shown for the far side of Route 9.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, a partial waiver was granted as indicated by Mr. Peters.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and Mr. Ackerman, yes.

### IV. PLAN REVIEW ITEMS

Mr. Kielt noted there were some changes. SP #1600 A would not be heard tonight. The notice was not done in time. It would be carried to the February 7, 2006 meeting. SD #1506 would not be heard tonight. The notice was deficient. It would also be carried to the February 7, 2006 meeting.

#### 1. SP #1823 (No variance requested)

Applicant: 175 N. Oberlin Assoc. LLC

Location: Oberlin Avenue North, north of Cedar Bridge Avenue  
Block 1605 Lot 3

Preliminary and final site plan - 14,611 square foot addition to existing industrial building

Mr. Peters stated the applicant is seeking site plan approval to construct a 14,300 square foot addition to an existing office/storage facility in the M-1 zoning district. No variances are required for the project. Outside agency approval is required. The applicant has provided a copy of the NJDEP letter of interpretation. The applicant has provided a 6 foot wide shade tree easement as required. This should be noted as being dedicated to the Township. A legal description should be submitted to the board's engineer for review. The ADS recharge pipe should be installed per the manufacturer's specifications. A safety rail along the sidewalk adjacent to the depressed loading dock has been added.

Mr. Slachetka stated the applicant now proposes a total of 61 off-street parking stalls. Previously 47 spaces were proposed. We note the location of the proposed building addition is 32.8 feet to the south of the building line of the existing warehouse. In

addition, a paved area for circulation is proposed on the northeast side of the building. The applicant should discuss the purpose of locating the building addition as shown on the site plan. Architectural floor plans and elevations have been submitted to the board. The dimension between the northeast corner of the addition and the limit of pavement to the east is only 21 feet. The applicant should provide testimony that the width of this drive aisle is sufficient for two-way truck and vehicle traffic. The applicant has revised the site plan to identify lighting levels in the current and proposed parking and storage areas. Parking spaces numbers 1 to 27 are not addressed by the lighting plan. The balance of the comments were minor and technical in nature.

Abraham Penzer, Esq., appearing on behalf of the applicant. The board may recall the application. There were three significant items. All three of the items were taken care of. The first item was with regard to the buses in the rear. The new application has no buses in the back. The second item was the size of the building and that it should be smaller. There is nothing going in the back and they did make the building smaller. The third item was the parking. They increased the amount of parking. They would comply with all the other comments of the planner and engineer.

Fred Baer, P.E., stated that when phase one is developed it would be 9,375 square feet and would provide for 26 on-site bus parking spaces in addition to the 55 passenger vehicle spaces that are provided. That portion will be configured so the bus parking is towards the easterly part of the site. Should the bus use ever vacate the site, then a 5,000 square foot addition would be added to that in phase two. The bus parking spaces would be eliminated leaving the site with 70 parking spaces which is in excess of what is required by ordinance.

Mr. Neiman asked if they would have to appear before the planning board for phase two. Mr. Banas stated if it is done now, it would not be necessary.

Mr. Baer stated they would only be having 16 buses on site. They could accommodate up to 30 buses.

Mr. Dolobowsky asked if once the company left, they would develop phase two. Mr. Baer stated once the bus use vacated the site, they would proceed with phase two. Phase two would be office/warehouse use. Mr. Penzer stated if the use would be with vehicles, but not buses, they would appear before the board again.

On motion by Mr. Neiman and seconded by Mr. Dolobowsky, the application would have public hearing on January 17, 2006.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and Mr. Ackerman, yes.

Mr. Miller left the meeting.

Mr. Jackson stated that the application would have public hearing on January 17, 2006 at 6:00 p.m. No further notice was required of the applicant.

- 4. SD#1508** (Variance requested)  
Applicant: Yehuda Kirschenbaum  
Location: Pasadena Street, east of Red Oak Drive  
Block 187.13 Lot 15  
Minor subdivision to create 2 lots

Mr. Peters stated the applicant is seeking minor subdivision. Two new lots are proposed. An existing two story frame dwelling is to be relocated onto proposed lot 15.01. No structures are proposed for lot 15.02 the site is located on Pasadena Street in the R-15 zoning district. Variances will be required for lot area of lot 15.01 where 15,000 square feet is required and 13,605 square feet is proposed; lot area for lot 15.02 where 15,000 square feet is required and 13,530 square feet is proposed; side yard for lot 15.01 where 10' one side and 25' combined is required and 1.98' one side and 11.98' combined is proposed; lot width for lot 15.01 where 100' is required and 81.95' is proposed; and lot width for lot 15.02 where 100' is required and 68.18' is proposed. Ocean County Planning Board Approval will be required. The applicant has provided a 6' wide shade tree easement fronting Pasadena Street to be dedicated to the Township. The dwelling on existing lot 15 is proposed to be relocated. Relocation shall either be complete prior to subdivision or a bond shall be posted to ensure prompt relocation once subdivision is complete. The balance of the comments were minor and technical in nature.

Mr. Slachetka stated the applicant should address the positive and negative criteria for the requested variance for each lot. Four shade trees are required along the Pasadena Street frontage and two are proposed. This should be revised or a waiver requested. The applicant should indicate if the existing driveway and apron will remain or will be reconstructed. The applicant needs to comply with the RSIS standards. A total of three off-street parking spaces are proposed for each of the proposed dwellings. The existing structure to be relocated should be relocated prior to the submission of the map for signature or a performance bond posted with the township. All site improvements should be bonded. The balance of the comments were minor and technical in nature.

Miriam Weinstein, Esq., appearing on behalf of the applicant. They have reviewed the comments of the professionals and they would stipulate to everything therein.

Mr. Dolobowsky stated they were asking for two undersized, narrow lots. The board has always pushed for full setbacks. They do not like smaller setbacks. He wanted testimony with regard to the variances. Ms Weinstein stated the one setback with the house has a two car garage. They were willing to remove one garage and have the 15' setback. The same would be amended on the plans.

Mr. Banas asked how many bedrooms were in the existing dwelling. Ms. Weinstein replied four. Mr. Banas asked how many parking spaces there were. Ms. Weinstein stated there were three per lot. Mr. Banas stated the board might ask to look at reconfiguring the building if it was not built already. Ms. Weinstein stated they may be able to.

On motion by Mr. Neiman and seconded by Mr. Herzl, the application would have public hearing on January 17, 2006.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and Mr. Ackerman, yes.

Mr. Jackson stated that the application would have public hearing on January 17, 2006 at 6:00 p.m. No further notice was required of the applicant.

**5. SD #1510** (No variance requested)

Applicant: Cal Wei LLC

Location: Route 9 and Chestnut Street  
Block 534 Lot 2

Preliminary & Final major subdivision - 72 townhouses and 1 synagogue

Mr. Peters stated the applicant is seeking a major subdivision of block 534 lot 2. The 10.1 acre site is primarily wooded with one structure that is to be removed. Proposed conditions include 72 townhouses, community center, play area, and detention basin. The site is located on River Avenue in the HD-7 zoning district. No variances are required. Outside agency approvals will be required. The board should determine if curb, sidewalk, and a shade tree easement will be required along River Avenue. The applicant shall address ownership and maintenance responsibilities for the tot lot, community building, storm water system, shared parking areas, and all other non-private elements of the development. Items to be handled by a homeowner's association shall be included in the wording of the agreement which shall be provided to the board's attorney for review. Items to be dedicated to the township shall be labeled accordingly. The plans show Chestnut Street outside the boundary of lot 2. If Chestnut is an existing paper street, it shall be included on the existing conditions plan and labeled. The balance of the comments were minor and technical in nature.

Mr. Slachetka stated a total of 223 parking spaces are proposed. Of the 223 proposed parking spaces, a total of 216 spaces are proposed within the common parking areas. The proposed number of bedrooms is four and there is no specific RSIS standard to use. Three spaces meets and exceeds the proportion of parking spaces to bedrooms required by the RSIS for townhouse units with two and three bedrooms. Additional parking may be required. A community center with a footprint of 2,500 square feet is proposed in the southwestern corner of the development tract. The application notes that a synagogue lot is proposed. Additional parking may be required if the community center is to function as a synagogue. The applicant should indicate whether or not any of the proposed townhouse units will contain basements. If so, the appropriate architectural drawings should be submitted. The plants indicate that the applicant is proposing units consisting of four bedrooms and one children's study. We note that the children's study may potentially be used as a bedroom in the future, due to the fact that it has a doorway and closet, and provides access to a bathroom without crossing another bedroom. This should be clarified. The board may wish to request that the architectural drawings be modified to propose an archway or another type of

division between this room and the hallway. Any plans for the proposed community center or synagogue should include an architecturally compatible trash enclosure. We note that the current application proposes the vacation of a portion of Chestnut Street. The applicant should be prepared to discuss the reason for this proposal to the board. The applicant must indicate where any proposed HVAC equipment will be located and that details be submitted in accordance with Chapter 18-1010.B.8 of the code of the Township of Lakewood. Details of the proposed individual trash and recycling enclosures should be submitted for the board's review. There are a series of comments regarding the landscaping and lighting which are detailed in nature. The applicant should submit details for the proposed play area. The balance of the comments were minor and technical in nature.

Ray Shea, Esq., appearing on behalf of the applicant. He stated they received the professionals reports and have no objections to the same. This is a single family town homes. There will be unfinished basements with a restriction on the meter. All the common areas will be maintained by a homeowners association. The community center and synagogue are one in the same. There is ample parking. They are providing three spaces per unit which is the maximum under RSIS. The issue of the child study rooms, they will make the door an archway as recommended. They will supply the architectural drawings for the community center. They were asking for a vacation of a portion of Chestnut Street. It was needed for the detention basin. It would be conditioned upon the governing body allowing the vacation of the street.

Mr. Banas stated the number of parking spaces differ in both conditions. Mr. Shea stated if you apply the state standard, each of them were different. Mr. Banas thought more parking spaces would be required. Mr. Slachetka stated it would require more for the synagogue. Mr. Shea stated the street is 32 feet from curb to curb. There is ample parking using either standard.

Mr. Neiman stated he knew there were no variances but he asked if it was considered a dense application. Mr. Slachetka explained the same. Mr. Shea stated they ensured that the planning board had jurisdiction.

Mr. Dolobowsky stated the buffer between this development and the senior development would have to be discussed at the public hearing. He liked the development but the synagogue and the play area were both on the border with the senior development. Mr. Shea stated they would address the same. Mr. Dolobowsky suggested making the play areas more central.

Mr. Banas asked about the equipment. Mr. Shea stated it may be in the detail sheet.

Mr. Neiman stated he thought the synagogue could be centered and it would make better planning. Mr. Shea stated the intent was to minimize the impact on the adjacent residential units. By placing it in the middle, everyone is impacted. They would review it. It could be done.

Mr. Dolobowsky asked that they could remove four units in the middle and place both. Mr. Banas felt it made more sense. He asked the height. Mr. Shea stated it would be less than 35 feet.

Mr. Franklin stated the township would not maintain the drainage system the way it was laid out. Mr. Shea stated that a homeowner's association would maintain it.

Mr. Neiman asked if the streets were accessible for garbage collection. Mr. Franklin stated they were accessible. Mr. Neiman asked where the garbage cans would be stored. The engineer stated there was a trash area provided in front of each unit. Mr. Dolobowsky stated it was by the stairs. The architectural drawings would be reviewed.

Mr. Banas asked about sidewalks on River Avenue. Mr. Shea stated it was for the board to decide. Mr. Dolobowsky asked that they approach the appropriate authority to change the name to West Chestnut. Mr. Shea stated they would.

On motion by Mr. Neiman and seconded by Mr. Dolobowsky, the application would have public hearing on January 17, 2006.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and Mr. Ackerman, yes.

Mr. Jackson stated that the application would have public hearing on January 17, 2005 at 6:00 p.m. No further notice was required of the applicant.

**6. SD #1511** (No variance requested)

Applicant: Ely Friedman

Location: terminus of Kennedy Boulevard West, near Brittany Court  
Block 27 LOT 46.07 & 58

Minor subdivision to create 2 residential lots

Mr. Peters stated the applicant is seeking a minor subdivision of block 27 lots 46.07 and 58. Two new lots are proposed. Proposed lot 58.01 will retain the existing structure. Existing lot 58, which is proposed lot 58.02, will deed 7,816 square feet to the Township upon finishing construction of, or posting bonds for a cul-de-sac. The site is located on Kennedy Boulevard West in the R-12 zoning district. No variances are required. Outside agency approvals will be required. The board should determine if a shade tree easement will be required. The applicant shall provide testimony on the history of the property and why a subdivision is required. The applicant shall complete construction of the cul-de-sac prior to subdivision or post a bond to ensure prompt completion after subdivision approval. The site in question is not apparent on the key map as provided. The site shall be labeled and a north arrow added to the key map. The concrete sidewalk shall be extended around the cul-de-sac to intersect the existing sidewalk at the eastern end of the cul-de-sac. A depressed curb and ADA complaint ramp should be provided for the existing sidewalk at the end of the cul-de-sac. The balance of the comments were minor and technical in nature.

Mr. Slachetka stated lot 58 was formerly owned by the Township and contains an existing cul-de-sac. Lot 58 was purchased from the Township. As a condition of the sale, the new owner was required to construct a new cul-de-sac according to



Township specifications and dedicate the land to the Township. Although there is an existing paved area on lot 58, the township tax map indicates that the right of way terminates at the western boundary of lot 58. The project involves the extension of the right of way of Kennedy Boulevard. The applicant proposes to reconfigure the existing cul-de-sac. Two shade trees should be provided along the new cul-de-sac frontage. All proposed street improvements should be bonded. The applicant should extend the proposed sidewalk to connect with the existing sidewalk on lot 10. The applicant should indicate whether the portion of the existing guard rail on lot 10 will be removed and, if so, has permission by the owner of lot 10 been received. The balance of the comments were minor and technical in nature.

Abraham Penzer, Esq., appearing on behalf of the applicant. He stated Mr. Slachetka gave the history of the site in his comments. Mr. Banas stated they would still need testimony at the public hearing. Mr. Penzer stated they agree to all the technical comments in the engineer's report with the exception of two items. The first is item six and requested that it be prior to the issuance of a building permit as opposed to prior to subdivision. The second issue is a legal issue as to whether or not the off-site improvements make it a major subdivision. The town put the lot for sale. The town wanted someone to build the cul-de-sac. It was a condition of the sale to build the cul-de-sac. It was his opinion that it was a minor subdivision because they agreed to do it. They were following the conditions of the sale that the township made. He did not think it was a major subdivision, but a minor subdivision. All the other items can be complied with. With regard to the planner's report everything can be agreed. The only issue was item nine about the guardrail. The guardrail was not on their property. They will ask the owner, but they do not have control over it.

Mr. Neiman stated he knew where the guardrail was. He did not think there would be a need for the guardrail once the project is done. Mr. Penzer stated he cannot remove anything that was not on his property. He could ask them. Mr. Neiman stated they would need proof in writing that the owner was asked. Mr. Penzer stated he had past experience with other property owners and he does not get a response.

Mr. Dolobowsky asked if the adjoining property was a school. Mr. Neiman replied it was. Mr. Dolobowsky asked if buffering should be at the end of the driveway so the school was not disturbed. Mr. Penzer stated it would be township property. One of the conditions of the sale was that the cul-de-sac had to be deeded back to the town. Mr. Dolobowsky stated they could put the trees in prior to deeding it back. Mr. Penzer stated they could put something in as a buffer.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the application would have public hearing on January 17, 2006.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, abstain; and Mr. Ackerman, yes.

Mr. Jackson stated that the application would have public hearing on January 17, 2006 at 6:00 p.m. No further notice was required of the applicant.

**7. SP #1830** (No variance requested)

Applicant: Iorio Construction

Location: Lehigh Avenue, north of Swarthmore Avenue  
Block 1606 Lot 3

Preliminary and final site plan - proposed building addition for fabric coating and storage

Mr. Peters stated the applicant is seeking to construct a new 60,266 square foot building next to an existing 60,310 square foot building. The new structure will be used for fabric coating and storage. The 15.13 acre property is known as Block 1606 Lot 3. The property is located on Lehigh Avenue in the M-1 zoning district. No variances are required. Outside agency approvals are required. The applicant shall provide the NJDEP letter of interpretation once received. The applicant shall provide evidence of NJDEP TWA approval as a condition of site plan approval. A tree management plan shall be provided in accordance with the Lakewood Township UDO. A railing should be provided separating the proposed concrete loading dock from the parking area above it. Details should be provided. The roof drain locations must be shown on the plans. No drains may discharge directly onto the sidewalk. We recommend an underground collection system piped directly to the recharge basins. There are a number of technical comments regarding the stormwater management report.

Mr. Slachetka stated the applicant should discuss the impact, if any, of the proposed building on the site circulation and parking. Architectural floor plans and elevations have been submitted. A total of 48 off-street parking spaces are provided per the site plan. The applicant should confirm the current and potential future employment at this facility to determine the required parking. One space per employee and 20 spaces for executives are required pursuant to Section 903.M.6.c of the UDO. The applicant should submit a letter from the Industrial Commission acknowledging receipt of the site plan and providing comments on the proposed project. The applicant should submit evidence of compliance with section 803.H. tree protection.

Abraham Penzer, Esq., appearing on behalf of the applicant. He stated there are two changes made to the plans. They reduced the building by about 8,000 square feet and they increased the parking spaces to 55 spaces. With regard to the engineer's report, they agree to all items from 2 through 15. The two items to be addressed are items 4 and 7.

Charles Lindstrom, P.E., stated item 4 addresses the DEP letter of interpretation. It falls under CAFRA regulations and he did not know if it would fall under the requirements for a letter of interpretation. They had to obtain a CAFRA permit. Item 7 asks for the tree management plan. They do not have the trees required on the site that are 12" in diameter. Mr. Peters was acceptable with this. Mr. Penzer stated the planner raised the same issue in item 5. With regard to his report, they would be prepared to discuss the impact of the proposed building on site circulation. They know have 103 spaces.

Mr. Neiman asked where the closest wetlands were. Mr. Lindstrom stated on the other side Swarthmore.

Mr. Dolobowsky stated the closest wetlands were east of Swarthmore. Mr. Banas asked for a picture.

Mr. Dolobowsky asked about the plans for the smaller building. Mr. Lindstrom stated they would be submitted. Mr. Dolobowsky asked them to double check how close they were to the runway at the airport. If they were within 10,000 linear feet they had to apply to the FAA. If they had to, he was sure the airport authority would help them fill out the paperwork. He was sure they would qualify for it.

Mr. Ackerman asked about the fabric coating. Mr. Lindstrom explained the same and the process as well as the requirements of the DEP to ensure it was taken care of properly. Mr. Banas asked him to make this part of the record at the public hearing.

On motion by Mr. Neiman and seconded by Mr. Herzl, the application would have public hearing on January 17, 2006.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, yes; and Mr. Ackerman, yes.

Mr. Jackson stated that the application would have public hearing on January 17, 2006 at 6:00 p.m. No further notice was required of the applicant.

- 8. SD #1512** (No variance requested)  
Applicant: Chaim Rosen  
Location: New Central Avenue, west of Hillside Boulevard  
Block 11.29 Lot 4  
Minor subdivision to create 2 lots

Mr. Peters stated the applicant is seeking a minor subdivision of block 11.29 lot 4. Two new lots are proposed. Proposed lot 4.01 will retain the existing structure. Proposed lot 4.02 will be a flag lot, with no new construction proposed at this time. The site is located on New Central Avenue in the R-15 zone. No variances will be required. Ocean County Planning Board approval will be required. The applicant has provided a 6 foot wide shade tree easement to be dedicated to Lakewood and has proposed curb and sidewalk along the property frontage. Section 805.G of the UDO STATES requirements for flag lots. The applicant shall comply with all landscape and privacy easements and buffers as set forth in this section. The set back lines must be shown on the plans for both lots. The zoning chart shall be revised to indicate 2.5 parking spaces per dwelling are required as per RSIS standards for an unknown number of bedrooms. The sidewalk detail must specify a thickness of 6 inches to be used at driveways. There are a number of technical comments regarding the Map Filing Law.

Mr. Slachetka stated the applicant is required to comply with the following requirements for flag lots as specified in section 805.G of the UDO: storage for solid waste and recyclable collection must be provided at the street for the flag lot; the proposed access drive improvement should be shown on the plat; the applicant must demonstrate the need for the flag lot arrangement, consistent with good planning principles and the applicant should distinguish the subject lot from other lots on this block which

appear to be similar in lot area depth and frontage; and architectural plans for the proposed dwelling should be submitted per section 805.G.6.c and the proposed setback lines of the new lot should be shown on the plat. Compliance with the off-street parking requirements of RSIS is required. The applicant should explain the purpose of the five foot wide access easement shown on the eastern side of new lot 4.02. A concrete sidewalk is proposed along the frontage of the parcel. A five-foot wide road widening dedication to Ocean County is proposed. A six foot wide shade tree easement along New Central Avenue is proposed. Three shade trees are required along the New Central Boulevard frontage. The balance of the comments were technical in nature.

Joseph Gasuba, R.C. Associates, appearing on behalf of the applicant. The professionals reports were reviewed and they do not have any objections to any items. The set back lines were accidentally omitted on the plans. The same would be provided. The applicant does not intend to construct at this time. They are planning to create a buildable lot for sale in the future. They could show a building envelope as well as a proposed building envelope as requested. With regard to the five foot access easement, it is to provide access to the existing tot lot area to the rear of the project. They have no objections to any of the technical comments.

Mr. Neiman asked about the need for the flag lot arrangement and asked him to explain the ordinance. Mr. Slachetka explained the requirements and when they were needed.

Mr. Dolobowsky stated he lived in the area and New Central Avenue has become a through way. A school has been approved in the area. He did not think it was good planning to create more curb cuts and driveways. He stated they would have to provide good testimony as to why this would be allowed. He would also want to see buffer and hear testimony as to how the one driveway on the hill would work in the winter. Mr. Gasuba stated there are landscaping and buffering provisions in the flag lot ordinance which they intend to meet.

Mr. Banas asked where the landscaping plans were. Mr. Gasuba stated they did not have them at this time. They were showing it as a subdivision plan. They will show the landscaping prior to the meeting. The driveway would be accessible. They would show how the lot would be laid out and what the buffers would be. Mr. Banas asked about sidewalks. Mr. Gasuba stated they would review it and provide sidewalks.

Mr. Slachetka stated 805.G.5 spells out the flag lots requirements and the reasoning behind them.

Mr. Banas was not sure if the application should be moved to the public hearing. Mr. Gasuba stated they would meet the date for the revised plans and provide the necessary testimony at the public hearing.

Mr. Dolobowsky stated they may want to have someone at the public hearing to discuss the traffic.

On motion by Mr. Herzl and seconded by Mr. Ackerman, the application would have public hearing on January 17, 2006.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ganton, no; and Mr. Ackerman, yes.

Mr. Jackson stated that the application would have public hearing on January 17, 2006 at 6:00 p.m. No further notice was required of the applicant.

## **V. PUBLIC PORTION**

None at this time.

## **VI. APPROVAL OF MINUTES**

On motion by Mr. Ackerman and seconded by Mr. Dolobowsky, the minutes of December 6, 2005 were hereby approved.

**ROLL CALL:** Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

Mr. Banas congratulated all the members who were appointed. He explained what was done at each meeting.

Mr. Dolobowsky asked about the educational requirements for the members. Mr. Kiert stated he did not receive anything yet. They were working on it with Ms. Seigel.

## **VIII. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted,  
Elaine Anderson  
Planning Board Recording Secretary